

Serial No. 10/055,194
Amdt. dated March 4, 2005
Reply to Office Action of February 8, 2005

Attorney Docket No. PF02194NA

REMARKS/ARGUMENTS

Claims 1 through 4, 6 through 13, 15 through 18, 20 through 25, and 27 through 32 remain in this application. Claims 5, 14, 19, 26, and 33 through 35 have been canceled without prejudice or disclaimer, and claims 1, 9, 17 and 22 have been amended.

Claims 1 through 4, 6 through 13, 15 through 18, 20 through 25, and 27 through 32 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,301,609 to Aravamudan, et al. ("Aravamudan, et al. patent").

The limitations of canceled claims 5, 14, 19, and 26 have been added to independent claims 1, 9, 17, and 22, respectively. In particular, claim 1 as amended provides, *inter alia*, gathering device operating information including resource information associated with the first device, wherein the resource information is associated with at least one of bandwidth, display capability, input capability, link type, link cost, device type, latency and power of the first device, and claims 9, 17 and 22 as amended provide, *inter alia*, similar language.

In contrast, the Aravamudan, et al. patent describes an instant messaging system having a database for storing user related information, such as phone numbers, IP addresses and buddy lists. The Aravamudan, et al. patent does not describe or suggest providing resource information associated with at least one of bandwidth, display capability, input capability, link type, link cost, device type, latency and power of the first device, as required by claims 1, 9, 17 and 22 as amended. Therefore, claims 1, 9, 17 and 22 distinguish patentably from the Aravamudan, et al. patent.

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Claims 2 through 4, 6 through 8, 10 through 13, 15, 16, 18, 20, 21, 23 through 25, and 27 through 32 depend from and include all limitations of independent claims 1, 9, 17 and 22. Therefore, claims 2 through 4, 6 through 8, 10 through 13, 15, 16, 18, 20, 21, 23 through 25, and 27 through 32 distinguish patentably from the Aravamudan, et al. patent for the reasons stated above for independent claims 1, 9, 17 and 22.

In view of the above, reconsideration and withdrawal of the rejection of claims 1 through 4, 6 through 13, 15 through 18, 20 through 25, and 27 through 32 are respectfully requested.

CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Commissioner is hereby authorized to deduct any additional fees arising as a result of this response, including any fees for Extensions of Time, or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. Applicants respectfully request that a timely Notice of Allowance be issued in this case. Should the Examiner have any

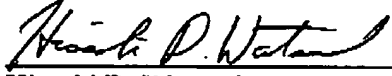
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questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
Phillips, Garland, et al.

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03/04/05

Date